LAW OFFICES

## KILYK & BOWERSOX, P.L.L.C.

Intellectual Property Law

53 A East Lee Street WARRENTON, VA 20186

**FAIRFAX OFFICE** 3603-E Chain Bridge Road Fairfax, Virginia 22030

LUKE A. KILYK\* (PA, DC) LEONARD D. BOWERSOX THOMAS P. CLOUSE\* (DC) ARASH BEHRAVESH\* (MA) PETER G. KORYTNYK GARTH D. RICHMOND\* (DC) JASBIR SINGH

(540) 428-1701 TEL.: (540) 428-1720 FAC.: (540) 428-1721

Email: kilyk@kbpatentlaw.com Website: http://www.kbpatentlaw.com

Of Counsel: WILLIAM CHARLES JAMISON SAMUEL P. BURKHOLDER\* (PA, DC, NJ)

\*Admitted only in states indicated

OCT 1 6 7443

PLEASE DIRECT CORRESPONDENCE TO OUR WARRENTON OFFICE

FACSIMILE TRANSMISSION COVER SHEET

DATE:

October 16, 2003

TO:

Examiner Therkorn, Ernest G.

Group Art Unit 1723

U.S. Patent and Trademark Office

P.O. Box 1450

Alexandria, VA 22313-1450

RE:

U.S. Patent Application No. 09/944,064 Entitled: MATERIAL FOR CHROMATOGRAPHY

Our Ref.: 01048 (3600-297)

FROM:

Luke A. Kilyk, Esq.

FAC. TEL. NO.:

1-703-872-9311

NUMBER OF PAGES (INCLUDING THIS COVER SHEET): 4

Items Attached: Notice of Appeal -- 2 pages

Fee Transmittal - 1 page

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 1-703-872-9311 on October 16, 2003.

Kim Blum Name of Person signing Certificate

THE INFORMATION CONTAINED IN THIS MESSAGE IS CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED. This message may also be an attorney/client communication which is privileged and confidential. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by calling us collect and return the original message to us at the above address by mail. Thank you.

(#1 220 00

PTO/SB/17 (01-03) Approved for use through 04/30/2003. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid CMB control number.

01048 (3600-297)

## Complete if Known FEE TRANSMITTAL 09/944,064 Application Number Filing Date August 31, 2001 for FY 2003 First Named Inventor Gaudet et al. THERKORN, Emest G Examiner Name Art Unit 1723 Applicant Claims small entity status. See 37 CFR 1.27

Attorney Docket No

TOTAL ASSOCIATION (\$) 330.00		1	.,			
METHOD OF PAYMENT (check all that apply) FEE CALCULATION (continued)						
Check Credit card Money Other None		. ADDITIONAL FEES arge Entity   Small Entity				
X Deposit Account	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
Deposit Account 03-0060	1051	130	2051	65	Surcharge – late filing fee or cath or Declaration	
Deposit Account Name	1052	50	2052	25	Surcharge – late provisional filing fee or cover sheet	
The Commissioner is authorized to: (check all that apply)	1053	130	1053	130	Non-English specification	
X Charge fee(s) indicated below X Credit any overpayments	1812	2,520	1812	2,520	For filing a request for ex perte reexamination	
X Charge any additional fee(s) during the pendency of this application	1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
Charge fee(s) indicated below, except for the filing fiee to the above-identified deposit account.	1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
FEE CALCULATION	1251	110	2251	55	Extension for reply within first month	
BASIC FILING FEE     Large Entity	1252 1253	420 950	2252 2253	210 475	Extension for reply within second month  Extension for reply within third month	<b>—</b>
Fee Fee Fee Fee Pescription	1254	1,480	2254	740	Extension for reply within fourth month	
Code (\$) Code (\$) Fee Paid  1001 770 2001 385 Utility fiting fee	1255	2.010	2255	1,005	Extension for reply within fifth month	<del></del>
1001 770 2001 385 Utility fiting fee 1002 340 2002 170 Design filing fee	1401	330	2401	165	Notice of Appeal	330.00
1003 530 2003 265 Plant filing fee	1402	330	2402	165	Filing a brief in support of an appeal	
1004 770 2004 385 Reissue filing fee	1403	290	2403	145	Request for oral hearing	<b></b>
1005 160 2005 80 Provisional filing fee	1451	1,510	1451	1,510	Petition to institute a public use proceeding	
	1452	110	2452	55	Petition to revive – unavoidable	
SUBTOTAL (1) (\$)	1453	1,330	2453	665	Petition to revive - unintentional	
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE	1501	1,330	2501	665	Utility issue fee (or reissue)	
Fee from Extra Claims below Fee Paid	1502	480	2502	240	Design issue fee	
Total Claims -20**= X =	1503	640	2503	320	Plant issue fee	
Independent -3**= X =	1460	130	1460	130	Petitions to the Commissioner	
Multiple Dependent	1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
Large Entity Small Entity	1806	180	1806	180	Submission of Information Disclosure Stmt	
Fee Fee Fee Fee Description Code (\$) Code (\$)	8021	40	8021	40	Recording each patent assignment per	
1202 18 2202 9 Claims In excess of 20	1809	770	2809	385	property (times number of properties) Filing a submission after final rejection (37 CFR § 1.129(a))	
1201 86 2201 43 Independent claims in excess of 3	1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1203 290 2203 145 Multiple dependent claim, if not paid	1801	770	2801	385	Request for Continued Examination (RCE)	
1204 88 2204 43 **Reissue Independent claims over original patent	1802	900	1802	900	Request for expedited examination of a design application	
1205 18 2205 9 **Reissue claims in excess of 20 and over original patent						
SUBTOTAL (2) (\$) Other fee (specify)						
** or number previously paid, if greater; For Refssues, see above *Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$) 330.00						
SUBMITTED BY Complete (if applicable)						

Luke A. Kilyk 33,251 Telephone 1-540-428-1701 (Attorney/Agent) October 16, 2003

WARNING: Information on/files form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) en application. Confidentiality is governed by 37 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Petent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22131-1450.

Registration No.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2

I hereby certify that this correspondence is being facsimile transmitted to	o the United States Patent and Trademark Office,
Fax No. 1-703-872-9311 on October 16, 20030	·
Kim Blum (Olm Collum)	
Name (Print) Signature	

Name (Print/Type)

Signature